

State of Arkansas
Request for Waiver
Prohibition of use of Individual Training Accounts for Older Youth

The Arkansas Workforce Investment Board is requesting a waiver of the regulatory prohibition of using Individual Training Accounts (ITAs) for older youth and out-of-school youth.

In compliance with WIA Section 189(i)(4)(B) and WIA Regulations 661.420(c), please accept the following as a request for a waiver.

A. Statutory Regulation to be Waived:

WIA Regulation 29 CFR §664.510 prohibits the use of Individual Training Accounts for youth participants. This waiver requests the use of Individual Training Accounts for older youth and out-of school youth with implementation being upon approval of this waiver request.

The State of Arkansas is now requesting such a waiver that will allow older youth and out-of-school youth, if deemed appropriate, to select approved ITA programs from Arkansas' Eligible Training Provider (ETP) List, while retaining their "youth" classification.

B. Goals to be Achieved by the Waiver:

- Provides to local areas a mechanism for improving the comprehensive services available by providing an additional service option.
- Ensures that local areas have enough flexibility to deliver services based on the individual needs of participants as intended under WIA.
- Reduces the paperwork and tracking requirements of dual enrollment as is currently necessary for older youth to access occupational skills training through the Adult Individual Training Account (ITA).
- Offers older youth an opportunity to make informed decisions that has a direct impact on his/her future.
- Improved service thru increased customer choice in assessing training opportunities.

C. State or Local Statutory or Regulatory Barriers:

There are no existing state or local statutory or regulatory barriers to implementing this waiver request.

D. Description of the Goals of the Waiver and Expected Outcomes:

The Workforce Investment Act of 1998 changed the focus of youth programs from the provision of short-term, stand-alone job training to providing year-round, long-term services. This change is designed to assist both in-school and out-of-school youth make the transition to post-secondary training and careers.

Although Arkansas supports this change in focus, we believe that the needs of some older youth can best be met with an additional training option. Unlike younger, in-school youth, older youth are one of the most difficult populations to serve because their primary interest lies in obtaining self-sufficient, full-time employment. The comprehensive service elements required within the year-round youth program sometimes delays access to training and employment. This delay may result in a negative outcome for the older youth rather than encouraging their continued participation in the program.

The Arkansas Workforce Investment Board recognizes the Workforce Investment Act's requirement that local areas make available a menu of ten program elements. While the use of Individual Training Accounts (ITAs) will only address one of these program elements, occupational skills training, the full menu of services will still be available to all eligible youth.

E. Description of the individuals impacted by the Waiver:

The waiver can positively impact all older WIA eligible youth. These customers will receive the type of services that most closely and quickly meet their individualized needs without unnecessary paperwork, tracking, and delay.

The waiver can positively impact Local Boards, as they will benefit by not having to direct limited administrative resources to costly and time-consuming competitive procurements.

Training providers will benefit because they will not have to follow two separate processes to provide services to Adult/DLW vs. Older/Out-of-School Youth.

F. Opportunity for Local Boards and interested parties to Comment on the Waiver Request:

This waiver request was initiated based on needs identified by Arkansas' Local Boards.

A 30-day public comment period provided notice and an opportunity for all interested/affected parties to comment.

During the February 11, 2003 Arkansas Workforce Investment Board meeting, the waiver request was discussed and provided an opportunity for public comment.

On February 13, 2003, the proposed waiver and a request for comments was posted on the State Board's website.

On February 13, 2003, the Arkansas Workforce Investment Board emailed invitations to Arkansas' ten local workforce investment boards to comment on the proposed waiver.

Notification of the proposed waiver and a request for comments was published in the *Arkansas Democrat Gazette*, Arkansas' statewide newspaper, on February 14-16, 2003.

During a statewide WIA training session held on March 5, 2003, a roundtable discussion regarding the proposed waiver was conducted to solicit comments from workforce professionals and WIA partners.

Additional Information Required by TEGL 12-01

1. What guidelines will be provided to the local areas on the use of the ITAs?

The Arkansas Workforce Investment Board will issue authority and establish guidelines for the ten Local Workforce Investment Areas (LWIAs) to pursue the use of Individual Training Accounts (ITAs) for older youth in accordance with WIA regulations and as currently required for adults and dislocated workers. LWIAs will be reminded that all ten required WIA youth program elements (specified at 20 CFR 664.410) must remain available with the local areas that serve out-of-school youth with ITAs.

2. How will these guidelines be incorporated into local areas' service delivery plans for youth?

Each local area that chooses to make use of this ITA option for older youth will be required to revise their local plan. This revision must state how the ITA will be utilized, the maximum length of training, and the maximum amount of allowable funding.

3. What criteria will be used for determining when the use of the ITAs is appropriate?

Each local area that chooses to make use of this ITA option for older youth will establish operational guidelines, including the criteria to be used for determining when the use of ITAs is appropriate. The use of this option must not hinder the availability and use of the ten required WIA youth program elements. Local areas will be required to monitor ITAs during regularly scheduled monitoring visits. The State will also monitor ITAs during regularly scheduled monitoring visits.

4. What assistance will be provided to youth to assist them in choosing an appropriate service provider?

Each local area that chooses to make use of this ITA option for older youth will be required to describe, in their local plan revision, the assistance to be provided youth when assisting them in choosing an appropriate service provider.

Local areas will still be required to conduct an objective assessment of each participant to assist with the development of an individual service strategy. The use ITAs will merely be an additional option available to the participant. It will be the responsibility of those local boards to provide training, technical assistance and oversight to One-Stop staff and case managers.